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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 ANTHONY LEROY LATTIMER,

9 Plaintiff,

10 vs.

11 TOC DIRECTORS, *et al.*,

12 Defendants.  
13

NO. CV-08-311-JPH

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND TRANSFERRING  
ACTION TO EASTERN DISTRICT OF  
TEXAS, TYLER DIVISION**

14 Magistrate Judge James P. Hutton filed a Report and Recommendation  
15 on October 14, 2008, recommending that Plaintiff Anthony Leroy  
16 Lattimer's action be transferred to the Eastern District of Texas.  
17 There being no objections, the Court **ADOPTS IN ITS ENTIRETY** the Report  
18 and Recommendation and directs this action be transferred to the United  
19 States District Court for the Eastern District of Texas, Tyler Division,  
20 pursuant to 28 U.S.C. §§ 1391 and 1406.

21 **IT IS SO ORDERED.** The District Court Executive shall enter this  
22 Order, send a copy of this Order to Plaintiff, and forward the file,  
23 along with a copy of this Order to the Clerk of Court, United States  
24 District Court for the Eastern District of Texas, Tyler Division, and  
25 close the file. The Court notes that no determination was made  
26 regarding *in forma pauperis* status.  
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**DATED** this 4<sup>th</sup> day of November 2008.

S/ Edward F. Shea  
EDWARD F. SHEA  
UNITED STATES DISTRICT JUDGE

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